



**BellSouth Telecommunications, Inc.**

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**Guy M. Hicks**  
General Counsel

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3 TN REGULATORY AUTHORITY  
DOCKET ROOM

April 9, 2003  
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VIA HAND DELIVERY

Hon. Sara Kyle  
Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

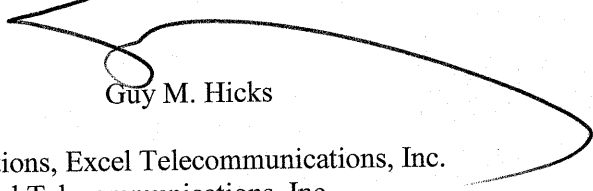
Re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Excel Telecommunications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.*  
Docket No. 03-00273

Dear Chairman Kyle:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, Excel Telecommunications, Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and fourteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated February 6, 2002. The Amendment modifies Attachment 7 to add ADUF rates for Tennessee.

Thank you for your attention to this matter.

Sincerely yours,

  
Guy M. Hicks

cc: John Powell, Director of Operations, Excel Telecommunications, Inc.  
Jeffrey J. Walker, Counsel, Excel Telecommunications, Inc.

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee

In re: *Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and Excel Telecommunications, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996*

Docket No. \_\_\_\_\_

**PETITION FOR APPROVAL OF THE**  
**AMENDMENT TO THE INTERCONNECTION AGREEMENT**  
**NEGOTIATED BETWEEN BELL SOUTH TELECOMMUNICATIONS, INC.**  
**AND EXCEL TELECOMMUNICATIONS, INC.**  
**PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

COME NOW, Excel Telecommunications, Inc. ("Excel") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated February 6, 2002 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, Excel and BellSouth state the following:

1. Excel and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to Excel. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on January 27, 2003.

2. The parties have recently negotiated an Amendment to the Agreement which modifies Attachment 7 to the Agreement to add ADUF rates for Tennessee. A copy of the Amendment is attached hereto and incorporated herein by reference.

3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, Excel and BellSouth are submitting their Amendment to the TRA for its consideration and approval. The Amendment provides that either or both of the parties is authorized to submit this Amendment to the TRA for approval.

4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and Excel within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity.

5. Excel and BellSouth aver that the Amendment is consistent with the standards for approval.

6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

Excel and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This 10<sup>th</sup> day of April, 2003.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

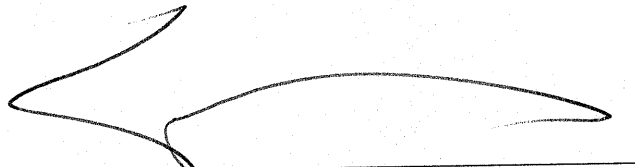
Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300  
(615) 214-6301  
Attorney for BellSouth

## CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail on the 15<sup>th</sup> day of Apr, 2003:

John Powell  
Director of Operations  
Excel Telecommunications, Inc.  
4550 Excel Way  
Addison, TX 75001

Jeffrey J. Walker  
Counsel  
2440 Marsh Lane  
Carrollton, TX 75006



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Guy M. Hicks

**AMENDMENT  
TO THE  
INTERCONNECTION AGREEMENT BETWEEN  
Excel Telecommunications, Inc and  
BELLSOUTH TELECOMMUNICATIONS, INC.**

Pursuant to this Amendment, (the "Amendment"), Excel Telecommunications, Inc. ("Excel") and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties," hereby agree to amend that certain Interconnection Agreement between the Parties dated February 6, 2002 ("Agreement").

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. Attachment 7 is augmented to added Exhibit F, rates for ADUF in Tennessee:
2. All of the other provisions of the Agreement, dated February 6, 2002 shall remain in full force and effect.
3. Either or both of the Parties is authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives and shall be deemed effective the date the last Party signs the amendment.

**Excel Telecommunications, Inc.**

Connie F. Mitchell  
Signature

Connie F. Mitchell  
Name

Vice President/Director  
Title

2/4/03  
Date

**BellSouth Telecommunications, Inc.**

Elizabeth R. A. Shiroishi  
Signature

Elizabeth R. A. Shiroishi  
Name

Director  
Title

2/7/03  
Date

